

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

THE NORTHWESTERN MUTUAL LIFE INSURANCE  
COMPANY,

Plaintiff,

-against-

MARIE LISOWSKI AS TRUSTEE FOR THE BENEFIT  
OF MATTHEW J. LISOWSKI AND JOETTA  
LISOWSKI,

Defendants.

-----X  
Civil Action No. 07-Civ-6619  
(KMK) (LMS)

**REPLY TO COUNTERCLAIM  
OF DEFENDANT MARIE  
LISOWSKI AS TRUSTEE FOR  
THE BENEFIT OF MATTHEW  
J. LISOWSKI**

---

Plaintiff, The Northwestern Mutual Life Insurance Company (“Northwestern Mutual”), by its attorneys, Rivkin Radler LLP, as and for its reply to the Counterclaim of Marie Lisowski as Trustee for the Benefit of Matthew J. Lisowski (“Marie”), alleges the following upon information and belief:

1. Denies knowledge or information sufficient to form a belief concerning the allegations of Paragraph “6” of Marie’s Counterclaim.
2. Denies knowledge or information sufficient to form a belief concerning the allegations of Paragraph “7” of Marie’s Counterclaim.
3. Denies knowledge or information sufficient to form a belief concerning the allegations of Paragraph “8” of Marie’s Counterclaim.
4. Denies knowledge or information sufficient to form a belief concerning the allegations of Paragraph “9” of Marie’s Counterclaim.
5. Denies knowledge or information sufficient to form a belief concerning the allegations of Paragraph “10” of Marie’s Counterclaim.

6. Denies knowledge or information sufficient to form a belief concerning the allegations of Paragraph "11" of Marie's Counterclaim.

**WHEREFORE**, Northwestern Mutual requests that the Court enter judgment:

- A. Directing Northwestern Mutual to pay the \$150,000 remaining proceeds of the Policy, together with accrued interest, if any, into this Court;
- B. Directing defendants to interplead their rights to such sum;
- C. Restraining defendants, and each of them, from instituting any action against Northwestern Mutual to recover such sum;
- D. Discharging Northwestern Mutual from all liability to defendants arising out of the matters herein set forth upon payment of the \$150,000, with accrued interest, if any, into this Court;
- E. Awarding Northwestern Mutual its costs, disbursements and attorney's fees;
- F. For such other and further relief as this Court deems proper.

RIVKINRADLER LLP  
Attorneys for Plaintiff  
The Northwestern Mutual Life Insurance Company

/s/

By: \_\_\_\_\_

Norman L. Tolle (NT - 5081)  
926 RexCorp Plaza  
Uniondale, New York 11556-0926  
(516) 357-3242

Dated: Uniondale, New York  
October 9, 2007